Weekly

Compilation

of

PRESIDENTIAL DOCUMENTS

Monday, January 5, 1981
Volume 17–Number 1
Pages 2845–2857

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WEEKLY COMPILATION OF

PRESIDENTIAL DOCUMENTS

Published every Monday by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, the *Weekly Compilation of Presidential Documents* contains statements, messages, and other Presidential materials released by the White House during the preceding week.

The *Weekly Compilation of Presidential Documents* is published pursuant to the authority contained in the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (37 FR 23607; 1 CFR Part 10).

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Week Ending Friday, January 2, 1981

National Forest Lands Bill

Memorandum of Disapproval of H.R. 6257. December 28, 1980

I am withholding my approval of H.R. 6257, a bill to authorize the Secretary of Agriculture to convey certain National Forest System lands and for other purposes. As originally introduced in Congress, this was a noncontroversial bill providing a simplified procedure for conveying small parcels of land within the National Forest System. Sections one through seven of the bill would accomplish this purpose. However, during the closing hours of the 96th Congress, a new section 8 was added that would adversely affect the Alaska Railroad, an agency of the Department of Transportation.

Section 8 would require the Secretary of Transportation to issue regulations for the rental of Alaska Railroad lands under terms that would result in a loss of revenue to the Railroad, provide for inequitable treatment of different tenants, and create a complicated method for determining rents that would be extremely difficult to administer. It would further delay the Railroad's effort to raise its lease land rents to fair market value, and it would lock into statute past practices that have been criticized by the General Accounting Office and the Department of Transportation. It would also inhibit the Railroad's ability to establish a modern lease land development program consistent with normal commercial practice.

The Railroad is operated as a self-sustaining business by the Federal Government, to the benefit of the State of Alaska and its citizens. Rental income from rail lands is used to pay part of its operating costs. The loss of revenue resulting from this bill may force the Railroad to curtail service or require a new federal operating subsidy to make up the difference. A curtailment of service would injure those shippers and residents of Alaska who use the Railroad, and an increase in federal funds for the Railroad is unacceptable.

For these reasons, I am vetoing H.R. 6257. However, I support those provisions in the bill that would give the Secretary of Agriculture authority to dispose of small tracts of National Forest lands that have become difficult to administer efficiently. This authority, which the Department of Agriculture has been seeking for several years, would greatly facilitate the disposal of approximately 200,000 acres of National Forest lands that present special management problems and would eliminate the need for a case-by-case authorization from the Congress before such lands can be sold or exchanged. Therefore, I urge the 97th Congress to enact similar authority early next year.

JIMMY CARTER

The White House,
December 28, 1980.

NOTE: The text of the memorandum of disapproval was released on December 29.

Relief Bill for Isaac Hulver

Memorandum of Disapproval of S. 442. December 28, 1980

I am withholding my approval of S. 442, a bill which would provide for the private relief of Mr. Isaac Hulver of Kansas City, Missouri. The United States court of appeals ruled against the claim of Mr. Hulver on the basis that the 2-year statute had expired before suit was filed, thus barring any tort action against the United States. Application for review was made to the United States Supreme Court, which declined, without comment, to hear the case.

Objection to this bill is two-fold, as expressed to me by the Department of Justice and the Veterans Administration. First, in 1979 the Supreme Court held that the statute of limitations was not merely a technicality, but that it was one of the conditions on which the traditional sovereign immunity of the United States has been waived to suit in tort, and that the period of limitations is as important to operation of the Federal Tort Claims Act as are the substantive rights created by that law. Second, this bill constitutes unwarranted preferential treatment which would defeat the goal of uniform application of the law. The federal courts have determined that this claim is forever barred as a tort claim against the United States. Having been afforded due process of the law in the courts, it would be unwise for Mr. Hulver to be singled out for special consideration beyond what the law provides for all persons in similar circumstances.

I am not unmindful of the significant contributions made by Mr. Hulver to his country in wartime, or the seriousness of his injuries, for which service connected disability compensation has been awarded since his discharge from the armed forces in 1945. These considerations do not justify preferential treatment in this case.

JIMMY CARTER

The White House,
December 28, 1980.

NOTE: The text of the memorandum of disapproval was released on December 29.

Cheese Imports

Proclamation 4811. December 30, 1980

PROCLAMATION TO AMEND THE TARIFF SCHEDULES OF THE UNITED STATES WITH RESPECT TO THE QUANTITATIVE LIMITATIONS OF CERTAIN CHEESES

By the President of the United States of America

A Proclamation

1. Import limitations have been imposed on certain cheeses pursuant to the provisions of Section 22 of the Agricultural Adjustment Act, as amended, 7 U.S.C. 624. Section 701 of the Trade Agreements Act of 1979, P.L. 96–39 (the "Act"), requires that the President proclaim limitations on the quantity of cheese of the types specified therein, which may enter the United States in any calendar year after 1979. The Act provides that the annual aggregate quantity of such types of cheese entered shall not exceed 111,000 metric tons. Such quantitative limitations appear in Part 3 of the Appendix to the Tariff Schedules of the United States (TSUS) (19 U.S.C. 1202). The present limitations became effective on January 1, 1980, pursuant to Proclamation 4708 of December 11, 1979.

2. In order to permit imports at a level

more nearly in line with current trade requirements, the quantitative limitations set forth in the Appendix to the TSUS must be modified.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes of the United States, including the provisions of Section 22 of the Agricultural Adjustment Act of 1933, as amended, and the Trade Agreements Act of 1979, do hereby proclaim that Part 3 of the Appendix to the Tariff Schedules of the United States is modified effective January 1, 1981, as set forth in the Annex to this Proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of December, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fifth.

JIMMY CARTER

[Filed with the Office of the Federal Register, 10:40 a.m., December 31, 1980]

NOTE: The annex is printed in the FEDERAL REGISTER of January 2, 1981.

The proclamation was released by the White House Press Office on December 31.

United States Naval Academy

Appointment of Austin H. Middleton as a Member of the Board of Visitors. December 31, 1980

The President today announced the appointment of Austin H. Middleton, of Butte, Mont., as a member of the Board of Visitors to the United States Naval Academy.

Middleton is deputy director of Montana Energy and MHD Research and Development Institute, Inc. He graduated from the Naval Academy in 1946 and served in the Marine Corps until 1969.

American Hostages in Iran

Informal Exchange With Reporters. December 31, 1980

Q. Mr. President, do you think we're close to a deal on the hostages?

THE PRESIDENT. No, I can't predict that. But we've made a reasonable proposal through the Algerians, and I think that it would be to the advantage of the Iranians and, certainly, to the advantage of our imperiled hostages, if they would accept what we have proposed.

Q. But the latest statement from Iran, however, seemed to suggest they might want to look at this one; they might want to soften their opposition.

THE PRESIDENT. Any prediction of a favorable response from the Iranians has always been mistaken, but I hope they will go ahead and resolve this.

Q. What's your hunch?

THE PRESIDENT. Wait and see.

Q. How are you feeling?

THE PRESIDENT. Very good. I feel fine. It's just a strap on my shoulder. No problem.

NOTE: The exchange began at 2:40 p.m. at the South Portico of the White House, following the President's return by helicopter from Camp David, Md.

New Year's Day

Informal Exchange With Reporters. January 1, 1981

Q. Mr. President?

THE PRESIDENT. Helen [Helen Thomas, United Press International], where have you been lately? Good to see you.

Q. [*Laughter*] Have you got any message for the world on New Year's or do you have any New Year's resolutions?

THE PRESIDENT. Well, we're going to have a good transition and try to turn over the Nation and the Government in good condition and just pray that we'll continue to have peace and prosperity for the American people.

Q. What about the game?

THE PRESIDENT. It's hard for me to stay neutral when Georgia is playing.

Q. Are you feeling better?

THE PRESIDENT. I feel fine.

Q. I'll be around.

THE PRESIDENT. I'll look forward to seeing you again. See you all later.

NOTE: The exchange began at 9:40 a.m. on the South Lawn of the White House as the President departed Washington, D.C., to attend the Sugar Bowl football game between Georgia and Notre Dame in New Orleans, La.

Temporary Tariff Concessions

Proclamation 4812. December 31, 1980

By the President of the United States of America

A Proclamation

1. On July 26, 1978, the President, pursuant to his authority in section 101 (a) of the Trade Act of 1974 (Trade Act) (19 U.S.C. 2111(a)), entered into a temporary trade agreement with India. This agreement provided for temporary modifications in the rates of duty for certain products to be implemented in stages. The agreement further provided for its termination upon initial implementation of an overall agreement on tariffs pursuant to the Multilateral Trade Negotiations (MTN).

2. On September 21, 1978, the President issued Proclamation No. 4600 implementing the July 26 temporary trade agreement, which proclamation modified the Tariff Schedules of the United States (TSUS) by inserting the necessary rates of duty in the appendix thereto and provided for further staged reductions of such rates.

3. On January 1, 1980, the United States, by Proclamation No. 4707, of December 11, 1979, initially implemented its overall agreement on tariffs reached during the MTN as provided in Schedule XX to the Geneva (1979) Protocol to the General Agreement on Tariffs and Trade. Pursuant to section 125(e) of the Trade Act (19 U.S.C. 2135(e)), the tariff concessions granted in the temporary agreement have continued in force for a one-year period which will terminate at the close of December 31, 1980.

4. After complying with the requirements of section 125(f) of the Trade Act (19 U.S.C. 2135(f)), I have decided to terminate Proclamation No. 4600, pursuant to the authority of section 125(b) of the Trade Act (19 U.S.C. 2135(b)), effective January 1, 1981.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes of the United States, including Title I and section 604 of the Trade Act (19 U.S.C. 2483), do proclaim that:

(1) Proclamation No. 4600, identified in the second recital of this proclamation, is terminated at the close of December 31, 1980.

(2) Part 2C of the Appendix to the Tariff Schedules of the United States (TSUS) is deleted, with the result that articles presently subject to the column 1 rates of duty provided in Part 2C of the Appendix to the TSUS shall be subject to the rates of duty established for such articles in schedules 1–7 of the TSUS by Proclamation No. 4707 of December 11,

1979. These rates shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1981.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fifth.

JIMMY CARTER

[Filed with the Office of the Federal Register, 3:07 p.m., January 2, 1981]

NOTE: The proclamation was released by the White House Press Office on January 2, 1981.

Continuance of Certain Federal Advisory Committees

Executive Order 12258. December 31, 1980

By the authority vested in me as President by the Constitution and statutes of the United States of America, and in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. I), it is hereby ordered as follows:

1–101. Each advisory committee listed below is continued until December 31, 1982.

(a) Committee for the Preservation of the White House; Executive Order No. 11145, as amended (Department of the Interior).

(b) President's Commission on White House Fellowships; Executive Order No. 11183, as amended (Office of Personnel Management).

(c) President's Committee on the National Medal of Science; Executive Order No. 11287, as amended (National Science Foundation).

(d) President's Council on Physical Fitness and Sports; Executive Order No. 11562, as amended (Department of Health and Human Services).

(e) President's Committee on Mental Retardation; Executive Order No. 11776 (Department of Health and Human Services).

(f) Presidential Advisory Board on Ambassadorial Appointments; Executive Order No. 11970 (Department of State).

(g) Committee on Selection of Federal Judicial Officers; Executive Order No. 11992 (Department of Justice).

(h) President's Advisory Committee for Women; Executive Order No. 12050 (Department of Labor).

(i) United States Circuit Judge Nominating Commission; Executive Order No. 12059, as amended (Department of Justice).

(j) United States Tax Court Nominating Commission; Executive Order No. 12064 (Department of the Treasury).

(k) Judicial Nominating Commission for the District of Puerto Rico; Executive Order No. 12084 (Department of Justice).

(l) President's Export Council; Executive Order No. 12131 (Department of Commerce).

(m) Peace Corps Advisory Council; Executive Order No. 12137 (Peace Corps).

(n) Advisory Committee on Small and Minority Business Ownership; Executive Order No. 12190 (Small Business Administration).

(o) Federal Advisory Council on Occupational Safety and Health; Executive Order No. 12196 (Department of Labor).

(p) President's Committee on the International Labor Organization; Executive Order No. 12216 (Department of Labor).

1–102. Notwithstanding the provisions of any other Executive order, the functions of the President under the Federal Advisory Committee Act which are applicable to the committees listed in Section 1–101 of this Order, except that of reporting annually to Congress, shall be performed by the head of the department or agency designated after each committee, in accordance with guidelines and procedures established by the Administrator of General Services.

1–103. The following Executive Orders, that established committees which have terminated or whose work is completed, are revoked:

(a) Executive Order No. 12022, as amended, establishing the National Commission for the Review of Antitrust Laws and Procedures.

(b) Executive Order No. 12054, as amended, establishing the President's Commission on Foreign Language and International Studies.

(c) Executive Order No. 12061, as amended, establishing the Small Business Conference Commission.

(d) Executive Order No. 12063, establishing the United States Court of Military Appeals Nominating Commission.

(e) Executive Order No. 12078, as amended, establishing the President's Commission on World Hunger.

(f) Executive Order No. 12093, as amended, establishing the President's Commission on the Holocaust.

(g) Executive Order No. 12103, as amended, establishing the President's Commission on the Coal Industry.

(h) Executive Order No. 12130, establishing the President's Commission on the Accident at Three Mile Island.

(i) Executive Order No. 12157, establishing the President's Management Improvement Council.

(j) Executive Order No. 12195, establishing the President's Commission on United States-Liberian Relations.

1–104. Executive Order No. 12110 is superseded.

1–105. This Order shall be effective December 31, 1980.

JIMMY CARTER

The White House,
December 31, 1980.

[Filed with the Office of the Federal Register, 3:08 p.m., January 2, 1981]

NOTE: The Executive order was released by the White House Press Office on January 2, 1981.

Leadership and Coordination of Fair Housing in Federal Programs

Executive Order 12259. December 31, 1980

By the authority vested in me as President by the Constitution of the United States of America, and in order to provide under the leadership of the Secretary of Housing and Urban Development, in accordance with Section 808 of the Act of April 11, 1968, as amended (sometimes referred to as the Federal Fair Housing Act or as Title VIII of the Civil Rights Act of 1968), 42 U.S.C. 3608, for the administration of all Federal programs and activities relating to housing and urban development in a manner affirmatively to further fair housing throughout the United States, it is hereby ordered as follows:

1–1. Administration of Programs and Activities Relating to Housing and Urban Development.

1–101. All programs and activities of Executive agencies, including agencies

which exercise regulatory responsibility, relating to housing and urban development shall be administered in a manner affirmatively to further fair housing.

1–2. Responsibilities of Executive Agencies.

1–201. The authority and responsibility for administering the Federal Fair Housing Act is vested in the Secretary of Housing and Urban Development.

1–202. The head of each Executive agency is responsible for ensuring that its programs and activities relating to housing and urban development are administered in a manner affirmatively to further the goal of fair housing as required by Section 808 of the Act of April 11, 1968, as amended (Title VIII of the Civil Rights Act of 1968), and for cooperating with the Secretary of Housing and Urban Development who shall be responsible for exercising leadership in furthering the purposes of the Act. As used in this Order, the terms "programs and activities" include programs and activities operated, administered or undertaken by the Federal government; grants; loans; contracts; insurance; guarantees; and Federal supervision or exercise of regulatory responsibility.

1–203. In carrying out the responsibilities in this Order the head of each Executive agency shall take appropriate steps to require that all persons or other entities who are applicants for, or participants in, or who are supervised or regulated under, agency programs and activities relating to housing and urban development comply with this Order.

1–3. Specific Responsibilities.

1–301. In implementing the responsibilities under Section 1–2 the Secretary of Housing and Urban Development shall:

(a) Develop guidelines for determining the categories of programs and activities relating to housing and urban development which are operated, administered, undertaken, controlled or regulated by Executive agencies.

(b) Promulgate regulations regarding programs and activities of Executive agencies related to housing and urban development which shall:

(1) describe an institutionalized method for analyzing the impact of housing and urban development programs and activities in promoting the goal of fair housing;

(2) describe the responsibilities and obligations in assuring that programs and activities are administered and executed in a manner affirmatively to further fair housing; and

(3) describe the responsibilities and obligations of applicants, participants and other persons and entities involved in housing and urban development programs and activities affirmatively to further the goal of fair housing.

(c) Coordinate Executive agency implementation of the requirements of this Order and issue standards and procedures regarding the administration of programs and activities relating to housing and urban development in a manner affirmatively to further fair housing.

1–302. Upon publication of guidelines by the Secretary of Housing and Urban Development under Section 1–301(a), each Executive agency shall provide the Secretary with a description of all programs and activities relating to housing and urban development within its jurisdiction.

1–303. Within 180 days of the publication of final regulations by the Secretary of Housing and Urban Development under Section 1–301(a) the head of each

Executive agency shall publish proposed regulations providing for the administration of programs and activities relating to housing and urban development in a manner affirmatively to further fair housing, consistent with the Secretary of Housing and Urban Development regulations, and with the standards and procedures issued pursuant to Section 1–301(c). As soon as practicable, each Executive agency shall issue its final regulations. All Executive agencies shall formally submit all such proposed and final regulations, and any related issuances or standards to the Secretary of Housing and Urban Development at least 30 days prior to public announcement.

1–304. The Secretary of Housing and Urban Development shall review regulations, standards and actions under Sections 1–302 and 1–303 to ensure conformity with the purposes of the Federal Fair Housing Act and consistency among the operations of the various Executive agencies and shall make any comments with respect thereto on a timely basis.

1–305. In addition to the regulations and guidelines described in Section 1–301, the Secretary of Housing and Urban Development shall implement the Secretary's authority and responsibility for administering the Federal Fair Housing Act by promulgating regulations describing the nature and scope of coverage and the conduct prohibited.

1–4. Cooperative Efforts.

1–401. The Secretary of Housing and Urban Development shall:

(a) Cooperate with, and render assistance to, the heads of all Executive agencies in the formulation of policies and procedures to implement this Order and to provide information and guidance on the affirmative administration of programs and activities relating to housing and urban development and the protection of rights accorded persons by the Federal Fair Housing Act; and

(b) initiate cooperative efforts, including the development of memoranda of understanding between Executive agencies designed to provide for consultation and the coordination of Federal efforts to further fair housing through the affirmative administration of programs and activities relating to housing and urban development.

1–402. In connection with carrying out functions under this Order the Secretary of Housing and Urban Development is authorized to request from any Executive agency such information and assistance deemed necessary. Each agency shall, to the extent permitted by law, furnish such information and assistance to the Secretary.

1–5. Administrative Enforcement.

1–501. Each Executive agency shall be responsible for enforcement of this Order and, to the extent permitted by law, shall cooperate and provide records, data and documentation in connection with any other agency's investigation of compliance with provisions of this Order.

1–502. If any Executive agency concludes that any person or entity (including any State or local public agency) applying for or participating in, or supervised or regulated under, a program or activity relating to housing and urban development has not complied with this Order or any applicable rule, regulation or procedure issued or adopted pursuant to this Order, it shall endeavor to end and remedy such violation by informal means, including conference, conciliation and persuasion. An Executive agency need not pursue informal resolution of matters where similar efforts made by another Executive agency have been unsuccessful. In event of failure of such informal means, the Executive agency, in conformity with

rules, regulations, procedures or policies issued or adopted by it pursuant to Section 1–3 hereof, shall impose such sanctions as may be authorized by law. To the extent authorized by law, such sanctions may include:

(a) cancellation or termination of agreements or contracts with such person, entity, or State or local public agency;

(b) refusal to extend any further aid under any program or activity administered by it and affected by this Order until it is satisfied that the affected person, entity, or State or local public agency will comply with the rules, regulations, and procedures issued or adopted pursuant to this Order;

(c) refusal to grant supervisory or regulatory approval to such person, entity, or State or local public agency under any program or activity administered by it which is affected by this Order or revoke such approval if previously given;

(d) any other action as may be appropriate under its governing laws.

1–503. Findings of any violation under Section 1–502 shall be promptly reported to the Secretary of Housing and Urban Development. The Secretary of Housing and Urban Development shall forward this information to all other Executive agencies.

1–504. Any Executive agency shall also consider invoking appropriate sanctions against any person or entity where any other Executive department or agency has initiated action against that person or entity pursuant to Section 1–502 of this Order.

1–505. Each Executive agency shall seek the advice of the Secretary of Housing and Urban Development in this regard prior to a decision to initiate actions to invoke sanctions. Each such decision and the reasons therefor, shall be documented and shall be provided to the Secretary of Housing and Urban Development in a timely manner.

1–6. General Provisions.

1–601. Nothing in this Order shall limit the authority of the Attorney General to provide for the coordinated enforcement of nondiscrimination requirements in Federal assistance programs under Executive Order No. 12250.

1–602. All provisions of regulations, guidelines and procedures proposed to be issued by Executive agencies pursuant to this Order which implement nondiscrimination requirements of laws covered by Executive Order No. 12250 shall be submitted to the Attorney General for review in accordance with that Executive Order. In addition, the Secretary will consult with the Attorney General regarding all regulations, guidelines and procedures proposed to be issued under Sections 1–301, 1–302 and 1–303 of this Order to assure consistency with coordinated Federal efforts to enforce nondiscrimination requirements in programs of Federal financial assistance pursuant to Executive Order No. 12250.

1–603. Nothing in this Order shall affect the authority and responsibility of the Attorney General to commence civil actions in cases involving a pattern or practice of discrimination or raising an issue of general public importance under the Federal Fair Housing Act.

1–604. (a) Part IV and Sections 501 and 503 of Executive Order No. 11063 are revoked. The activities and functions of the President's Commission on Equal Opportunity in Housing described in that Executive Order shall be performed by the Secretary of Housing and Urban Development.

(b) Sections 101 and 502(a) of Executive Order No. 11063 are revised to apply to discrimination because of "race, color, religion (creed), sex or national

origin." All departments and agencies shall revise regulations, guidelines and procedures issued pursuant to Part II of Executive Order No. 11063 to reflect this amendment to coverage.

(c) Section 102 of Executive Order No. 11063 is revised by deleting the term "Housing and Home Finance Agency" and inserting in lieu thereof the term "Department of Housing and Urban Development."

1–605. Nothing in this Order shall affect any requirement imposed under the Equal Credit Opportunity Act (15 U.S.C. 1691 *et seq.*), the Home Mortgage Disclosure Act (12 U.S.C. 2901 *et seq.*) or the Community Reinvestment Act (12 U.S.C. 2810 *et seq.*).

1–7. Report.

1–701. The Secretary of Housing and Urban Development shall submit to the President an annual report commenting on the progress the Department of Housing and Urban Development and other Executive agencies have made in carrying out requirements and responsibilities under this Executive Order.

JIMMY CARTER

The White House,
December 31, 1980.

[Filed with the Office of the Federal Register, 3:09 p.m., January 2, 1981]

NOTE: The text of the Executive order was released by the White House on January 2, 1981.

Agreement on Government Procurement

Executive Order 12260. December 31, 1980

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Title III of the Trade Agreements Act of 1979 (19 U.S.C. 2511–2518), and Section 301 of Title 3 of the United States Code, and in order to implement the Agreement on Government Procurement, as defined in 19 U.S.C. 2518(1), it is hereby ordered as follows:

1–1. *Responsibilities.*

1–101. The obligations of the Agreement on Government Procurement (Agreement on Government Procurement, General Agreement on Tariffs and Trade, 12 April 1979, Geneva (GATT 1979)) apply to any procurement of eligible products by the Executive agencies listed in the Annex to this Order (eligible products are defined in Section 308 of the Trade Agreements Act of 1979; 19 U.S.C. 2518(4)). Such procurement shall be in accord with the policies and procedures of the Office of Federal Procurement Policy (41 U.S.C. 401 *et seq.*).

1–102. The United States Trade Representative, hereinafter referred to as the Trade Representative, shall be responsible for interpretation of the Agreement. The Trade Representative shall seek the advice of the interagency organization established under Section 242(a) of the Trade Expansion Act of 1962 (19 U.S.C. 1872(a)) and consult with affected Executive agencies, including the Office of Federal Procurement Policy.

1–103. The interpretation of Article VIII:1 of the Agreement shall be subject to the concurrence of the Secretary of Defense.

1–104. The Trade Representative shall determine, from time to time, the dollar equivalent of 150,000 Special Drawing Right units and shall publish that determination in the FEDERAL REGISTER. Procurement of less than 150,000 Special Drawing Right units is not subject to the Agreement or this Order (Article I:1(b) of the Agreement).

1–105. In order to ensure coordination of international trade policy with regard to the implementation of the Agreement, agencies shall consult in advance with the Trade Representative about negotiations with foreign governments or instrumentalities which concern government procurement.

1–2. *Delegations and Authorization.*

1–201. The functions vested in the President by Sections 301, 302, 304, 305(c) and 306 of the Trade Agreements Act of 1979 (19 U.S.C. 2511, 2512, 2514, 2515(c) and 2516) are delegated to the Trade Representative.

1–202. Notwithstanding the delegation in Section 1–201, the Secretary of Defense is authorized, in accord with Section 302(b)(3) of the Trade Agreements Act of 1979 (19 U.S.C. 2512(b)(3)), to waive the prohibitions specified therein.

JIMMY CARTER

The White House,
December 31, 1980.

[Filed with the Office of the Federal Register, 3:10 p.m., January 2, 1981]

NOTE: The annex is printed in the FEDERAL REGISTER of January 6, 1981.

The Executive order was released by the White House Press Office on January 2, 1981.

Leadership and Coordination of Fair Housing in Federal Programs

Statement on Executive Order 12259. January 2, 1981

In my urban policy report to the Congress, I promised to issue an Executive order concerning Title VIII of the Civil Rights Act of 1968, the Fair Housing Act. I am fulfilling this promise today. This Executive order will strengthen the ability of each executive agency to administer its Federal programs and activities in such a way as to promote fair housing. This Executive order:

• reemphasizes HUD's authority and responsibility to administer the Fair Housing Act;

• stipulates the leadership and coordination role of HUD and the responsibilities of all other agencies with respect to the preparation and implementation of regulations and procedures which will further fair housing;

• requires all agencies to use informal and formal means to remedy violations of regulations or procedures adopted pursuant to the order;

• sets a timetable for implementation of these requirements by all Federal agencies;

• directs HUD to submit an annual report to the President noting the progress made by the Federal Government in furthering fair housing objectives.

This order will not by itself close the gap between the present reality and the national fair housing objectives set by Congress in the Civil Rights Act of 1968. That gap can truly be narrowed only by a heightened enforcement program such as the one that would have gone into effect had Congress adopted the Fair Housing Amendments of 1980. Yet this order will help. It will then be the task of the 97th Congress to strengthen the Federal Government's ability to secure prompt and equitable compliance with Title VIII fair housing provisions by enacting the amendments to the Civil Rights Act of 1968 supported so vigorously by this administration.

This is the third in a series of Executive orders I have issued to improve the Federal Government's ability to enforce our Nation's civil rights laws.

Executive Order 12067 was issued to clarify to the leadership responsibility of

the Equal Employment Opportunity Commission where job discrimination was concerned. Executive Order 12250 defined the leadership responsibility of the Department of Justice in programs involving Federal financial assistance. The present Executive order sets out the leadership responsibilities of the Department of Housing and Urban Development in administering programs and activities relating to housing and urban development in such a way as to promote the cause of fair housing.

NOTE: The President signed Executive Order 12259 on December 31, 1980.

National Labor Relations Act Amendments Bill

Statement on Signing H.R. 4774 Into Law. January 2, 1981

I have signed into law H.R. 4774, a bill amending the National Labor Relations Act to provide, among other things, that employees who have conscientious objections to joining or financially supporting a labor organization shall not be required to do so.

In signing H.R. 4774, I want to emphasize that the language in this bill defining conscientious objection is not to be construed in such a way as to discriminate among religions or to favor religious views over other views that are constitutionally entitled to the same status. To put any other construction on this definition would, in my view, create serious constitutional difficulties. I have invited the Chairman of the National Labor Relations Board to consult with the Attorney General on the proper interpretation of this language.

NOTE: As enacted, H.R. 4774 is Public Law 96–593, approved December 24, 1980.

Federal Election Commission

Recess Appointment of Vernon Thomson as a Member. January 2, 1981

The President today announced the recess appointment of Vernon Thomson as a member of the Federal Election Commission. He replaces Max L. Friedersdorf, who is resigning.

Thomson, 75, was a member of the FEC from 1976 until 1979, when he retired. He was a Member of the House of Representatives from 1961 to 1974 and Governor of Wisconsin from 1956 to 1958.

Digest of Other White House Announcements

The following listing includes the President's public schedule and other items of general interest announced by the White House Press Office and not included elsewhere in this issue.

December 28, 1980

The White House announced that the President will receive the Algerian delegation at Camp David early this afternoon. The meeting will give the President the opportunity to express the appreciation of the American people to the Algerian delegation for their work as intermediaries between the United States and Iran and to be informed about the condition of the hostages.

December 31, 1980

The President announced the recess appointments of three persons who were nominated for positions but not confirmed before the Senate adjourned. They are:

JOSEPH S. BRACEWELL, to be President of the Solar Energy and Energy Conservation Bank;

WALLACE N. HYDE, to be a member of the Board of Governors of the U.S. Postal Service;

RALPH W. EMERSON, to be a member of the Foreign Claims Settlement Commission.

January 2, 1981

The President met at the White House with Vice President Walter F. Mondale, Secretary of State Edmund S. Muskie, Secretary of Defense Harold Brown, Zbigniew Brzezinski, Assistant to the President for National Security Affairs, and Jack H. Watson, Jr., Assistant to the President.

NOMINATIONS SUBMITTED TO THE SENATE

NOTE: The Congress having adjourned *sine die* on Tuesday, December 16, 1980, no nominations were submitted during the period covered by this issue. The first session of the 97th Congress will convene on Monday, January 5, 1981.

CHECKLIST OF WHITE HOUSE PRESS RELEASES

The following listing contains releases of the White House Press Office which are not included in this issue.

Released January 2, 1981

Announcement: Recess appointment of Walter Meheula to serve as United States District Judge for the District of Hawaii

ACTS APPROVED BY THE PRESIDENT

Approved December 28, 1980

S. 1803 ---------- Public Law 96–602
An act to modify the boundary of the Cibola National Forest in the State of New Mexico, and for other purposes.

ACTS APPROVED—Continued

Approved December 28—Continued

H.R. 4155 ---------- Public Law 96–603
An act to amend the Internal Revenue Code of 1954 to simplify private foundation return and reporting requirements, and for other purposes.

H.R. 7112 ---------- Public Law 96–604
State and Local Fiscal Assistance Act Amendments of 1980.

H.R. 7956 ---------- Public Law 96–605
Miscellaneous Revenue Act of 1980.

H.R. 5737 ---------- Public Law 96–606
An act to amend the International Claims Settlement Act of 1949 to allow recovery by United States nationals for losses incurred in Vietnam.

S. 2363 ---------- Public Law 96–607
An act to provide, with respect to the national park system: for the establishment of new units; for adjustments in boundaries; for increases in appropriation authorizations for land acquisition and development; and for other purposes.

H.R. 5973 ---------- Public Law 96–608
An act to amend the Internal Revenue Code of 1954 to waive in certain cases the residency requirements for deductions or exclusions of individuals living abroad, to allow the tax-free rollover of certain distributions from money purchase pension plans, and for other purposes.

H.R. 5047 ---------- Public Law 96–609
An act to provide for the temporary suspension of certain duties, to extend certain existing suspensions of duties, and for other purposes.

S. 2729 ---------- Public Law 96–610
National Visitor Center Emergency Repair Act of 1980.

H.R. 8406 ---------- Public Law 96–611
An act to amend title XVIII of the Social Security Act to provide for medicare coverage of pneumococcal vaccine and its administration.

S. 2261 ---------- Public Law 96–612
An act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes.

H.R. 7171 ---------- Public Law 96–613
An act to make certain miscellaneous changes in the tax laws.

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